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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JESSE SOOCEY,

14 Defendant.

CASE NO. MJ19-5244-MLP

DETENTION ORDER RE:  
ALLEGATIONS OF VIOLATION  
OF CONDITIONS OF BOND

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16 THIS MATTER comes on for an initial hearing on the Petition of the United  
17 States Probation Office alleging that the defendant has violated the conditions of  
18 supervision on pretrial bond. The government made a motion for detention.

19 The government appears by phone through Assistant United States  
Attorney Gregory Gruber.

20 The defendant appears by video conference personally and is represented  
21 by counsel, Assistant Federal Public Defender Colin Fieman, who appears  
22 by phone.

23 The U.S. Probation Office, Pretrial Services Officer Ben Beetham, appears  
24 by phone. Pretrial Services has filed (Dkt.30, 33) a petition and

1 supplemental violation report alleging violations #1 through #3 of the terms  
2 and conditions of supervision (terms and conditions imposed by Magistrate  
3 Judge David Christel, Dkt. 28, 29). The defendant has been advised of the  
4 allegation(s).

5 The Court schedules a hearing on the petition concerning all violations (1-  
6 5) to be held at the time, place, and date below:

7 Date of hearing: April 7, 2020 before the Honorable J. Richard Creatura,

8 United States Magistrate Judge, United States District Court, 1717 Pacific

9 Avenue, Tacoma, Washington 98402

10 Time of hearing: 1:30 PM

11 IT IS ORDERED that the defendant

12      Be released on an appearance bond, subject to the terms and conditions  
13 set forth thereon.

14 X Be detained because Mr. Soocey poses a serious risk of flight and  
15 potential for danger to the community, and there is no condition or  
16 combination of conditions that would reasonably ensure community safety  
17 or Mr. Soocey's appearance for court, including the upcoming revocation  
18 hearing. Under 18 U.S.C. Section 3148, if there is probable cause to believe  
19 that the defendant has committed a federal, state, or local crime while on  
20 release pending trial, a rebuttable presumption of detention applies. The  
21 Court also considered the factors that are to be weighed in determining  
22 whether a defendant should be detained pending trial, 18 U.S.C. Section  
23 3142 (g).

24 The Court reviewed the allegations and considered the arguments and  
information presented by both parties, and by United States Probation and  
Pretrial Services during the detention hearing. The Court finds by a  
preponderance of the evidence that Mr. Soocey is a risk of flight or risk of  
failure to appear, because the Pretrial Services petition indicates he  
absconded from supervision and changed his residence on or about March  
10, 2020. Dkt. 31. In addition, Mr. Soocey allegedly failed to report for drug  
testing on March 12, 2020. Dkt. 31. According to the supplemental report,  
a urinalysis report shows that the national lab confirmed Mr. Soocey's  
sample (taken March 6, 2020) tested positive for methamphetamine. Dkt.  
33 at 2.

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2 It is therefore **ORDERED**:

3 (1) Defendant shall be detained pending the hearing before Judge Creatura  
4 on April 7, 2020 and committed to the custody of the Attorney General for confinement  
5 in a correctional facility separate, to the extent practicable, from persons awaiting or  
6 serving sentences, or being held in custody pending appeal;

7 (2) Defendant shall be afforded reasonable opportunity for private  
8 consultation with counsel;

9 (3) On order of a court of the United States or on request of an attorney for  
10 the Government, the person in charge of the correctional facility in which Defendant is  
11 confined shall deliver the defendant to a United States Marshal for the purpose of an  
12 appearance in connection with a court proceeding; and

13 (4) The Clerk shall provide copies of this order to all counsel, the United  
14 States Marshal, and to the United States Probation and Pretrial Services Officer.

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16 Dated this 31<sup>st</sup> Day of March 2020

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Theresa L. Fricke  
19 United States Magistrate Judge  
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